

## IN THE CLAIMS

Complete listing of claims.

1 - 12 Canceled

13. (Currently Amended) A stent for implantation in or around a hollow organ, comprising:

said stent being defined by a plurality of adjacently positioned ring shaped elastic wall segments along a length of said stent between a first and second end, each said wall segment having a radial elastic structure, said wall segments comprising spring devices;

gaps separating said wall segments;

connector devices in a communication across said gaps linking adjacently positioned spring devices upon each of said wall segments;

said connector devices substantially axially aligning along said stent to form at least one continuous longitudinal flange extending uninterrupted between said first and second end, said flange consisting of respective said connector devices and respective said spring devices located upon each adjoining said wall segment, each of said spring devices being ~~which are~~ substantially axially aligned with each said connector device communicating therebetween; and

said continuous longitudinal flange thereby providing means to maintain said length of said stent under tensile or compressive stress.

14. (Currently Amended) A stent according to Claim 13, characterized by the fact that the spring devices defining said wall segments have first and second spring devices; and

said first spring devices and said second spring devices are arranged in alternate fashion at an angle to each other, and said continuous longitudinal flange is formed of connector devices connected between substantially axially aligned first spring devices of adjoining wall segments, or, of connector devices connected between substantially axially aligned said second spring devices of adjoining wall segments.

15. (Previously Presented) A stent according to Claim 14, characterized by the fact that the first spring devices and second spring devices are substantially rectilinear.

16. (Canceled)

17. (Canceled)

18. (Previously Presented) A stent according to claim 13 of the previous claims, characterized by the fact that several longitudinal flanges are parallel to each other in a projection onto an external periphery area of said stent arranged in a direction of the periphery, at distances from each other.

19. (Previously Presented) A stent according to claim 14 of the previous claims, characterized by the fact that several longitudinal flanges are parallel to each other in a projection onto an external periphery area of said stent arranged in a direction of the periphery, at distances from each other.

20. (Previously Presented) A stent according to claim 15 of the previous claims, characterized by the fact that several longitudinal flanges are parallel to each other in a projection onto an external periphery area of said stent arranged in a direction of the periphery, at distances from each other.

21. (Canceled)

22. (Previously Presented) A stent according to claim 14, characterized by the fact that said first spring devices and said second spring devices have a substantially equal width and said connector devices have a connector width which is at least twice as wide as said width of said first spring devices and said second spring devices.

23. (Previously Presented) A stent for implantation in or around a hollow organ, comprising:

said stent formed as a unitary structure from a shape memory material, said unitary structure being expandable upon deployment in said organ;

said unitary structure being a tube shaped body defined by a sidewall surrounding an axial interior along a length, said sidewall having voids formed therein defining a plurality of adjacently positioned ring shaped elastic wall segments, each having a radial elastic structure,

each said elastic wall segment formed of first and second spring devices arranged in alternate fashion at an angles to each other;

said voids defining gaps separating said wall segments, connector devices in a communication across said gaps linking in-between adjacently positioned and substantially aligned first or second spring devices of said wall segments;

said connector devices aligning along a length of said body between a first of said segments at one end of said body to a last of said segments at an opposite end, to form at least one continuous uninterrupted longitudinal flange comprised of said connector devices and adjacent respective first or second spring devices;

said flange providing means to maintain said length of said stent under tensile or compressive stress.

24. (Previously Presented) A stent according to claim 23 wherein said unitary structure is expandable upon a deployment in said organ using a balloon catheter.

25. (Previously Presented) A stent according to claim 13, characterized by the fact that said stent it is made of a shape memory material, and may be self expanded for a deployment in said organ.

26. (Previously Presented) A stent according to claim 13 characterized by the fact that said stent is made of stainless steel, plastic or a self-dissolving material.

27. (Previously Presented) A stent according to claim 13 wherein the said periphery is machined to a smooth or polished surface.

## **SECTION 112 OBJECTIONS**

The objections per section 112 have been addressed through an amendment to the specification to more clearly describe the device as depicted in the figures, specifically figure 1 which shows the substantially axially aligned connector devices and spring devices forming a continuous uninterrupted flange on the stent device.

No new matter has been added in that drawings clearly depict the axial alignment of connectors and spring segments.

## **SECTION 102 OBJECTIONS**

The examiner rejected claims 13-21 and 23-27 per 35 USC §102(B) per Ogi and indicated the language of the claims, indicating an alignment of connector devices and spring devices to form a continuous uninterrupted flange was awkward.

Applicant appreciates the Examiner's view of the language previously submitted and has changed the language to more clearly define the fact that the connectors and spring devices are all aligned to form the continuous flange.

Since no new matter has been added, and since the amendment is submitted for clarity of language and the Examiner appears to have understood the gist of the claimed elements while pointing out the Examiner's view of an alternate meaning, Applicant believes the response to be enterable into the case without a

Continued Examination.

However, if that is not the case in the view of the Examiner Applicant then requests Continued Examination and has provided the authorization for the RCE fee.

**WITH REGARD TO OGI Per Section 102**

As previously noted, Ogi lacks the formation of a continuous, aligned, uninterrupted flange, between a first and second end of the stent formed by the connector devices and adjacent spring devices and the substantial axial alignment of both the connector devices and adjoining spring devices.

Ogi instead has connectors in between peaks of the individual zig-zag sections, and the connectors do not align with adjoining first or second spring devices to form a single, uninterrupted, flange, extending between the first and second end.

Thus, the flange of Ogi is susceptible to compression when the non-axially aligned spring devices are pressured by compression on the device of Ogi.

As earlier noted:

"Anticipation requires the presence, in a single prior art reference, disclosure of, *each and every element*, of the claimed invention, *arranged as in the claim.*" *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984)

The cited art, lacking the continuous uninterrupted flange of aligned connectors and adjacent first or second spring devices thus does not have each and every element of applicant's device .

As such the rejection pursuant to section 102 is respectfully traversed.

### **Section 103 Objections**

Since Ogi lacks continuous, uninterrupted flange between the first and second ends of the stent formed by substantially aligned connector and spring devices, as claimed by Applicant, any combination with Ogi would also lack that structure. Consequently the citation of Ogi for all elements but the thicker connectors is respectfully traversed since Ogi lacks the continuous flange formed of connectors and spring sections.